

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPATENT

Applicant:	Ari Moskowitz	Examiner:	Rosiland Rollins
Serial No.:	10/699,586	Group Art Unit:	3739
Filed:	October 31, 2003	Confirmation No.:	1882
Docket No.:	151P11200US01		
Title:	APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA		

SECOND REQUEST FOR REFUND

Request for Refund  
Mail Stop 16  
Director of the USPTO  
P.O. Box 1450  
Alexandra, VA 22313-1450

Dear Sir:

We submitted an Office Action (no new matter was added) and a Petition For One-Month Extension of Time for the above-referenced patent application on December 9, 2004, authorizing payment of the \$120 fee for the Petition of Time to be charged to our Deposit Account 500549. Our Deposit Account Statement reflects that on December 21, 2004, the petition fee of \$120 was charged to our account. However, on December 23, 2004, our account was mistakenly charged another \$120 for the same fee. We previously requested a Request For Refund on January 12, 2005 (copy enclosed), to date no reimbursement has been issued to us for the double charge. A copy of our monthly statement of our Deposit Account showing this incorrect charge is enclosed along with a copy of the documents submitted authorizing payment of the One-Month Extension of Time fee charge.

Please do not hesitate to contact me if you have any questions or if you would like additional information.

Dated: September 6, 2005

Respectfully submitted,

ARI MOSKOWITZ

By: William D. Bauer

William D. Bauer

Reg. No.: 28,052

IPLM Group, P.A.

Post Office Box 18455

Minneapolis, MN 55418

Telephone (612) 331-7405

WDB:dmw

## Deposit Account Statement



United States  
Patent and  
Trademark Office

COPY

## Deposit Account Statement

Requested Statement Month:

December 2004

Deposit Account Number:

500549

Name:

IPLM GROUP, P.A.

Attention:

MICHAEL L. MAU

Address:

1300 GODWARD STREET N.E.

City:

MINNEAPOLIS

State:

MN

Zip:

55413-1741

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/01	40	E-REPLENISHMENT				
12/01	43	10998485		9203	-\$7,500.00	\$22,002.00
12/01	44	10998485	1151P9399US03	1001	\$790.00	\$21,212.00
12/01	45	10998486	1151P9399US03	1202	\$252.00	\$20,960.00
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12/03	125	60632288		8021	\$40.00	\$17,938.00
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12/06	197	09598402	100P222USDI	8001	\$6.00	\$16,100.00
12/06	198	09598402	P-9399.00	1501	\$1,370.00	\$14,730.00
12/07	486	10516238	P-9399.00	8001	\$3.00	\$14,727.00
12/15	23	E-REPLENISHMENT	160-P-1586USWO	1609	\$750.00	\$13,977.00
12/15	274	10931797		9203	-\$7,000.00	\$20,977.00
12/15	1002	1896922		8021	\$40.00	\$20,937.00
12/15	1003	1896922	118T3US01	7205	\$100.00	\$20,837.00
12/15	1169	1340688	118T3US01	7201	\$400.00	\$20,437.00
12/15	1170	1340688	127T4US01	7205	\$100.00	\$20,337.00
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12/16	91	11010898	160P1621USD1	1111	\$500.00	\$19,137.00
12/16	92	11010898	160P1621USD1	1311	\$200.00	\$18,937.00
12/16	139	2909305	160P1621USD1	1202	\$550.00	\$18,387.00
12/16	396	PCT/US04/41361	221-T-135US01	8503	\$15.00	\$18,372.00
12/16	397	PCT/US04/41361	160P1710WO01	1601	\$300.00	\$18,072.00
12/16	398	PCT/US04/41361	160P1710WO01	1704	\$1,920.00	\$16,152.00
			160P1710WO01	1702	\$1,134.00	\$15,018.00

## Account Statement

12/16 399 PCT/US04/1361	160P1710WO01	8007	\$20.00	\$14,998.00
12/16 1036 1012108	127T18US01	7205	\$100.00	\$14,898.00
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<del>12/21 21 10699586</del>	<del>151P11200US01</del>	<del>1251</del>	<del>\$120.00</del>	<del>\$14,378.00</del>
12/21 41 10121440	117P45US01	1464	\$130.00	\$14,248.00
12/21 56 10121440	117P45US01	1801	\$790.00	\$13,458.00
12/22 9 10654709	117P45USC1	1464	\$130.00	\$13,328.00
12/22 10 10654709	117P45USC1	1801	\$790.00	\$12,538.00
12/22 40 E-REPLENISHMENT		8203	\$7,500.00	\$20,038.00
<del>12/23 31 10699586</del>	<del>151P11200US01</del>	<del>1251</del>	<del>\$120.00</del>	<del>\$19,918.00</del>
12/23 329 78537240	149T002US01	7001	\$335.00	\$19,583.00

START  
BALANCE  
\$14,502.00

SUM OF  
CHARGES  
\$16,919.00

SUM OF  
REPLENISH  
BALANCE  
\$22,000.00 \$19,583.00

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The stamp of the U.S. Patent and Trademark Office hereon shall be taken as acknowledging receipt on the date stamped of:

- 1) Transmittal Letter [1 page]
- 2) Request For Refund [1 page]
- 3) Copy of Monthly Deposit Account Statement [2 pages]
- 4) Copy of previously filed Transmittal, Petition of Time & Amendment [11 pages]

In the application of Ari Moskowitz, Serial No. 10/699,586, filed October 31, 2003, for APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA.

WDB:drrw  
Date: January 12, 2005  
Docket No.: 151P11200US01

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The stamp of the U.S. Patent and Trademark Office hereon shall be taken as acknowledging receipt on the date stamped of:

- 1) Transmittal Letter [1 page]
- 2) Request For Refund [1 page]
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WDB:drrw  
Date: January 12, 2005  
Docket No.: 151P11200US01

PATENT DIVISION

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPATENT

Applicant:	Ari Moskowitz	Examiner:	Rosiland Rollins
Serial No.:	10/699,586	Group Art Unit:	3739
Filed:	October 31, 2003	Confirmation No.:	1882
Docket No.:	151P11200US01		
Title:	<u>APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA</u>		

REQUEST FOR REFUND

Request for Refund  
Mail Stop 16  
Director of the USPTO  
P.O. Box 1450  
Alexandra, VA 22313-1450

Dear Sir:

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Please do not hesitate to contact me if you have any questions or if you would like additional information.

Dated: January 12, 2005

Respectfully submitted,

ARI MOSKOWITZ

By: William D. Bauer  
William D. Bauer  
Reg. No.: 28,052  
IPLM Group, P.A.  
Post Office Box 18455  
Minneapolis, MN 55418  
Telephone (612) 331-7405

WDB:dmw

BEST AVAILABLE COPY

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P.O. Box 18455  
Minneapolis, MN 55418  
612-331-7400 telephone  
612-331-7401 facsimile

COPY

PATENT

FACSIMILE TRANSMITTAL LETTER



MS: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.	Serial No.
151P11200US01	10/699,586

TOTAL NO. OF PAGES: 11  
Sent to Facsimile No.: 703-872-9306  
Examiner Phone No.: 703-308-2711

In re Application of:	Ari Moskowitz		
Serial No.:	10/699,586		
Confirmation No.:	1882	Examiner:	Rosiland Rollins
Filed:	October 31, 2003	Art Unit:	3739
For:	APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA		
We are transmitting the following documents:			
Facsimile Transmittal Letter [1 page]			
Fee Transmittal for FY 2005 [1 page]			
Petition For Extension of Time [1 page]			
Amendment [8 pages]			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Registration No. 28,052	Direct Dial 612-331-7405	Respectfully submitted, 
Date: December 9, 2004	William D. Bauer	
United States Patent and Trademark Office		
Customer No. 23322		
Certificate of Facsimile Transmission		
Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
To Facsimile Number 703-872-9306	Signature 	
Date December 9, 2004	Printed Name Diane Wimperis	
THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION INTENDED ONLY FOR THE DESTINATION IDENTIFIED ABOVE. If you are not the intended recipient, please do not read, use, disclose, distribute or copy this facsimile. Instead, please immediately notify the sender by telephone or fax, and retrieval of this facsimile will be arranged at no cost to you.		

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2008. OMB 0951-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
This collection of information is required by 37 CFR 1.17 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 120

**Complete if Known**

Application Number	10/699,586
Filing Date	October 31, 2003
First Named Inventor	Ari Moskowitz
Examiner Name	Rosiland Rollins
Art Unit	3739
Attorney Docket No.	151P11200US01

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number

500549

Deposit Account Name

IPLM Group, P.A.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	1812 1,260	For filing a request for ex parte reexamination	
1804 920*	1804 460*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 920*	Requesting publication of SIR after Examiner action	
1261 110	2261 55	Extension for reply within first month	120
1262 430	2262 215	Extension for reply within second month	
1253 880	2253 440	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	2451 755	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1490 130	2490 65	Petitions to the Commissioner	
1807 60	2807 30	Processing fee under 37 CFR 1.17(d)	
1808 180	2808 90	Submission of Information Disclosure Stmt	
8021 40	2821 20	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120

**SUBMITTED BY**

Name (Print/Type) William D. Bauer

Signature

William D. Bauer

Registration No. 28,052

(Attorney/Agent)

(Complete if applicable)

Telephone 612-331-7405

Date

December 9, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ari Moskowitz Examiner: Rosiland Rollins  
Serial No.: 10/699,586 Group Art Unit: 3739  
Filed: October 31, 2003 Confirmation No.: 1882  
Docket No.: 151P11200US01  
Title: APPARATUS & METHOD FOR MAKING A HOLE IN THE DURA

PETITION FOR EXTENSION OF TIME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a one-month extension of time be granted in which to respond to the outstanding Office Action mailed August 11, 2004, said period of response being extended from November 11, 2004 to December 11, 2004.

The Commissioner is hereby authorized to charge the amount of \$120 to Deposit Account 500549 to cover the required extension of time fee for a large entity..

Respectfully submitted,

ARI MOSKOWITZ

Date: December 9, 2004

By: William D. Bauer  
William D. Bauer  
Reg. No.: 28,052  
IPLM Group, P.A.  
Post Office Box 18455  
Minneapolis, MN 55418  
Telephone (612) 331-7405

WDB:dmw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant:	Ari Moskowitz	Examiner:	Rosiland Rollins
Serial No.:	10/699,586	Group Art Unit:	3739
Filed:	October 31, 2003	Confirmation No.:	1882
Docket No.:	151P11200US01		
Title:	APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA		

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to a first Office Action mailed August 11, 2004, carrying a shortened statutory period of response, having been extended, which is currently set to expire on December 11, 2004, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this response.

Remarks begin on page 5 of this paper.

USPN: 10/699,586  
Group Art Unit: 3739  
Docket No.: 151P11200USQ1

## AMENDMENTS TO THE CLAIMS

1. (Currently Amended) An apparatus for making a hole of a first predetermined diameter in a dura of a patient for the insertion of a catheter having a second predetermined diameter, comprising:  
a catheter having a lumen;  
a stylet having a first end adapted for insertion in said lumen;  
said stylet having a second end formed with a tip having a diameter having a predetermined relationship with said first predetermined diameter; and  
means for applying an electrical current to said tip of said stylet to cauterize said dura.
2. (Canceled)
3. (Original) An apparatus as in claim 1 wherein said tip has a hemispherical shape.
4. (Original) An apparatus as in claim 3 wherein said hemispherical shape has a diameter and wherein said diameter of said hemispherical shape is approximately equal to said first predetermined diameter.
5. (Original) An apparatus as in claim 3 wherein said hemispherical shape has a diameter and wherein said diameter of said hemispherical shape is approximately equal to said second predetermined diameter.
6. (Original) An apparatus as in claim 1 wherein said first predetermined diameter is approximately equal to said second predetermined diameter.
7. (Original) An apparatus as in claim 1 wherein said first predetermined diameter is smaller than said second predetermined diameter.

USSN: 10/699,586  
Group Art Unit: 3739  
Docket No.: 151P11200US01

8. (Original) An apparatus as in claim 7 wherein said first predetermined diameter is approximately fifteen percent (15%) percent smaller than said second diameter.
9. (Original) A method of making a hole of a first predetermined diameter in a dura of a patient having a cranium for the insertion of a catheter having a second predetermined diameter, comprising the steps of:  
determining whether to create a burr hole in said cranium of said patient;  
inserting a first end of said stylet with a tip having a diameter having a predetermined relationship with said first predetermined diameter into said burr hole of said cranium;  
applying an electrical current to said stylet in order to cauterize said dura creating a hole in said dura approximately equal to said diameter of said tip; and  
inserting a second end of said stylet into a lumen of a catheter with said second end of said stylet proximal to a distal end of said catheter.
10. (Original) A method as in claim 9 wherein said tip of said stylet has a hemispherical shape.
11. (Original) A method as in claim 10 wherein said hemispherical shape has a diameter and wherein said diameter of said hemispherical shape is approximately equal to said first predetermined diameter.
12. (Original) A method as in claim 10 wherein said hemispherical shape has a diameter and wherein said diameter of said hemispherical shape is approximately equal to said second predetermined diameter.
13. (Original) A method as in claim 9 wherein said first predetermined diameter is approximately equal to said second predetermined diameter.

USPN: 10/699,586  
Group Art Unit: 3739  
Docket No.: 151P11200US01

14. (Original) A method as in claim 9 wherein said first predetermined diameter is smaller than said second predetermined diameter.
15. (Original) A method as in claim 14 wherein said first predetermined diameter is approximately fifteen percent (15%) smaller than said second diameter.

IPLM Group, P.A.  
P.O. Box 18455  
Minneapolis, MN 55418  
612-331-7400 telephone  
612-331-7401 facsimile

PATENT

FACSIMILE TRANSMITTAL LETTER

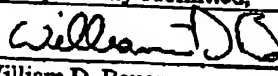
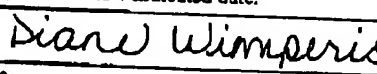
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.	Serial No.
151-P-11200US01	10/699,586

TOTAL NO. OF PAGES: 14  
Sent to Facsimile No.: 571-273-6500  
Examiner Phone No.: 571-272-4772

In re Application of:	Ari Moskowitz		
Serial No.:	10/699,586		
Confirmation No.:	1882	Examiner:	Rosiland Rollins
Filed:	October 31, 2003	Art Unit:	3739
For:	APPARATUS AND METHOD FOR MAKING A HOLE IN THE DURA		
We are transmitting the following documents:			
Facsimile Transmittal Letter [1 page]			
Second Request for Refund [2 pages]			
Deposit Account Statement [2 pages]			
Copy of previously submitted postcard and stamp returned postcard [1 page]			
Copy of previously submitted Request for Refund [1 page]			
Copy of previously submitted Transmittal Letter, Fee Transmittal, Petition for Extension of Time and Amendment [7 pages]			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Registration No. 28,052	Direct Dial 612-331-7405	Respectfully submitted, 
Date: September 6, 2005		William D. Bauer
United States Patent and Trademark Office		
Customer No. 54228		
Certificate of Facsimile Transmission		
Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: Request For Refund, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
To Facsimile Number 571-273-6500	Signature 	
Date September 6, 2005	Printed Name Diane M. Wimperis	
THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION INTENDED ONLY FOR THE DESTINATION IDENTIFIED ABOVE. If you are not the intended recipient, please do not read, use, disclose, distribute or copy this facsimile. Instead, please immediately notify the sender by telephone or fax, and retrieval of this facsimile will be arranged at no cost to you.		

DEC 9 2004  
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ari Moskowitz	Examiner:	Rosiland Rollins
Serial No.:	10699586	Group Art Unit:	3739
Filed:	October 31, 2003	Confirmation No.:	1882
Docket No.:	151P11200US01		
Title:	APPARATUS & METHOD FOR MAKING A HOLE IN THE DURA		

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Alexandria, VA 22313-1450

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Respectfully submitted,

ARI MOSKOWITZ

Date: December 9, 2004

By: William D. Bauer  
William D. Bauer  
Reg. No.: 28,052  
IPLM Group, P.A.  
Post Office Box 18455  
Minneapolis, MN 55418  
Telephone (612) 331-7405

WDB:dmw

PAGE 311 \* RCVD AT 12/09/04 10:22:11 AM [Eastern Standard Time] \* CANCELED TO EFFECT \* IN \* DUE: 12/23/04 \* CANCELED 12/31/04 \* DURATION [mm:ss:00]

2/23/2004 DPOLLARD 00000001 500549 10699586

1 FC:1251 120.00 DA

Adjustment date: 10/20/2005 EEKUBAY1  
12/23/2004 DPOLLARD 00000001 500549 10699586  
01 FC:1251 120.00 CR

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